IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 7TH AUGUST 2006 / 16TH SRAVANA 1928

Bail Appl..No. 4610 of 2006

CRIME NO.260/2006 OF KALPAKANCHERRY POLICE STATION

PETITIONER/3RD ACCUSED

MUHAMMEDKUTTY,
S/O.KAMMUKUTTY, MACHERY HOUSE,
P.O.VALAVANNOOR, TIRUR.
MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS: COMPLAINANT

STATE OF KERALA - REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4610/2006

DATED THIS THE 7TH DAY OF AUGUST, 2006

O R D E R

The petitioner is the third accused, in crime No.260/2006 of Kalpakancherry police station. The offence alleged against him and two others are under Sections 143, 147, 148, 353 and 506(ii) IPC read with Section 149 IPC.

2. The allegation is that a lorry, belonging to the petitioner, was transporting unauthorised sand, on 11.7.2006 at 1.15 a.m. The petitioner was travelling in a Maruthi car following the lorry. The police intercepted the lorry. The other accused were trying to take away the lorry with sand. The involvement of the petitioner with the committing of the crime, cannot be brushed aside at this stage, particularly, when he was present at the site.

3. However, as the offence alleged against the petitioner, the third accused, and others are bailable, the petitioner may approach the court below for appropriate remedy.

The application is closed as above.

J.M.JAMES
JUDGE

mrcs